

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

OTHART DAIRY FARMS, LLC, PAREO FARM, INC., PAREO FARM II, INC., DESERTLAND DAIRY, LLC, DEL ORO DAIRY, LLC, BRIGHT STAR DAIRY, LLC, and SUNSET DAIRY, LLC, individually and on behalf of all others similarly situated,

Plaintiffs,

vs.

DAIRY FARMERS OF AMERICA, INC., SELECT MILK PRODUCERS, INC., and GREATER SOUTHWEST AGENCY,

Defendants.

Case No. 22-cv-00251-MIS-DLM

RENEWED NOTICE OF COMPLETION OF BRIEFING

Pursuant to D.N.M. Local Rule Civ. 7.4(e), Plaintiffs¹ hereby renew notice to the Court that briefing on Defendants' Motion to Dismiss Plaintiffs' Complaint has been complete since July 14, 2022. *See* ECF No. 48. The entire briefing consists of the following:

1. Defendants' Motion to Dismiss Plaintiffs' Complaint (ECF No. 38), filed May 31, 2022;
2. Plaintiffs' Opposition to Defendants' Motion to Dismiss Plaintiffs' Complaint (ECF No. 45), filed June 30, 2022; and
3. Defendants' Reply in Support of Motion to Dismiss Plaintiffs' Complaint (ECF No. 47), filed July 14, 2022.

¹ Defendants Dairy Farmers of America, Inc. and Select Milk Producers, Inc., declined to jointly file this Renewed Notice. Defendant Greater Southwest Agency has not responded to Plaintiffs' email.

Briefing has been complete since July 14, 2022, and the Motion remains ready for decision.

Respectfully submitted,

PEIFER, HANSON, MULLINS & BAKER, P.A.

By: /s/ Mark T. Baker

Mark T. Baker

20 First Plaza, Suite 725

Albuquerque, NM 87102

Telephone: (505) 247-4800

Facsimile: (505) 243-6548

mbaker@peiferlaw.com

W. Joseph Bruckner (*pro hac vice*)

Brian D. Clark (*pro hac vice*)

Stephen J. Teti (*pro hac vice*)

LOCKRIDGE GRINDAL NAUEN P.L.L.P.

100 Washington Avenue South, Suite 2200

Minneapolis, MN 55401

Telephone: (612) 339-6900

Facsimile: (612) 339-0981

wjbruckner@locklaw.com

bdclark@locklaw.com

sjteti@locklaw.com

Steve W. Berman (*pro hac vice*)

HAGENS BERMAN SOBOL SHAPIRO LLP

1301 Second Avenue, Suite 2000

Seattle, Washington 98101

Telephone: (206) 623-7292

Facsimile: (206) 623-0594

steve@hbsslaw.com

Shana E. Scarlett (*pro hac vice*)

Abby R. Wolf (*pro hac vice*)

HAGENS BERMAN SOBOL SHAPIRO LLP

715 Hearst Avenue, Suite 202

Berkeley, California 94710

Telephone: (510) 725-3000

Facsimile: (510) 725-3001

shanas@hbsslaw.com

abbyw@hbsslaw.com

Elaine T. Byszewski (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
301 North Lake Avenue, Suite 920
Pasadena, CA 91101
Telephone: (213) 330-7150
Facsimile: (213) 330-7152
elaine@hbsslaw.com

David R. Scott (*pro hac vice*)
Patrick J. McGahan (*pro hac vice*)
Michael P. Srodoski (*pro hac vice*)
SCOTT+SCOTT, ATTORNEYS AT LAW, LLP
156 Main Street
Colchester, CT 06415
david.scott@scott-scott.com
pmcgahan@scott-scott.com
msrodoski@scott-scott.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 20, 2023, the foregoing was filed electronically pursuant to CM/ECF procedures for the District of New Mexico, which caused counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

PEIFER, HANSON, MULLINS & BAKER, P.A.

By: /s/ Mark T. Baker
Mark T. Baker